

HEU02MOU

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: **EASEMENT**

PURPOSE: DRAINAGE EASEMENT

NAME OF PROPERTY OWNER OR GRANTOR: ENNO F. HEUSCHER AND PAULINE HEUSCHER

STREET ADDRESS/PARCEL NAME/SUBDIVISION (LOT AND BLOCK): TWO PARCELS:

PARCEL NO. 1: 331 MOUNTAIN VIEW COURT - LOT 1 OF EAGLE RIM SUBDIVISION

PARCEL NO. 2: 332 MOUNTAIN VIEW COURT - LOT 2 OF EAGLE RIM SUBDIVISION

PARCEL NO.: PARCEL NO. 1 - 2945-244-32-001

PARCEL NO. 2 - 2945-244-32-002

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2002

EXPIRATION DATE: NONE

DESTRUCTION DATE: NONE

WHEN RECORDED RETURN TO:
 City of Grand Junction
 Real Estate Division
 250 North 5th Street
 Grand Junction, CO 81501

Book 3081 Page 301
 2056943 05/17/02 0425PM
 MONIKA TODD CLK&REC MESA COUNTY CO
 REC FEE \$15.00
 DOCUMENTARY FEE \$EXEMPT

GRANT OF DRAINAGE EASEMENT

Enno F. Heuscher and Pauline Heuscher, Grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, have granted and conveyed, and by these presents do hereby grant and convey to the City of Grand Junction, a Colorado home rule municipality, Grantee, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, two (2) Perpetual Easements for the installation, operation, maintenance, repair and replacement of storm water drainage facilities, on, along, over, under, through and across the herein described portions of Lots 1 and 2 of Eagle Rim Subdivision, situate in and being a part of Government Lot 7 in Section 24, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 15 at Page 124 in the office of the Mesa County Clerk and Recorder, with all bearings contained herein being relative to the recorded plat of said Subdivision, to wit:

Easement Parcel No. 1: Commencing at the Northeast Corner of Lot 1 of said Eagle Rim Subdivision; thence S 00°00'00" W along the East boundary line of said Lot 1 a distance of 56.83 feet to the True Point of Beginning;
 thence S 00°00'00" W along the East boundary line of said Lot 1 a distance of 74.03 feet to an angle point in the boundary line of said Lot 1 located on the North line of an existing 10.0 foot wide Utility & Irrigation Easement dedicated with the recorded plat of said Eagle Rim Subdivision;
 thence S 89°05'00" E along the North line of said existing Utility & Irrigation Easement a distance of 36.50 feet to a point on the East boundary line of said Lot 1;
 thence S 00°00'00" W along the East boundary line of said Lot 1 a distance of 10.00 feet to a point on the South line of said existing Utility & Irrigation Easement;
 thence N 89°05'00" W along the South line of said existing Utility & Irrigation Easement a distance of 36.50 feet;
 thence leaving the South line of said existing Utility & Irrigation Easement, N 37°37'06" W a distance of 67.36 feet;
 thence N 04°38'32" W a distance of 93.57 feet to a point on the Northerly boundary line of said Lot 1;
 thence S 83°15'14" E along the Northerly boundary line of said Lot 1 a distance of 30.60 feet;
 thence leaving the Northerly boundary line of said Lot 1, S 04°38'32" E a distance of 47.04 feet;
 thence S 50°07'34" E a distance of 18.88 feet to the Point of Beginning,
 containing 4,308.2 square feet, more or less, as described herein and depicted on **Exhibit "A"** attached hereto and incorporated herein by reference,

AND ALSO

Easement Parcel No. 2: Commencing at the Northwest Corner of Lot 2 of said Eagle Rim Subdivision; thence S 00°00'00" W along the West boundary line of said Lot 2 a distance of 56.83 feet to the True Point of Beginning;
 thence leaving the West boundary line of said Lot 2, S 50°07'34" E a distance of 60.12 feet;
 thence S 23°48'06" E a distance of 39.88 feet to the Northeast Corner of an existing Drainage Easement as described by instrument recorded in Book 1596 at Pages 43 and 44 in the office of the Mesa County Clerk and Recorder;
 thence N 89°05'00" W along the North line of said existing Drainage Easement a distance of 25.75 feet to the Northwest Corner of said existing Drainage Easement, located at an angle point in the boundary line of said Lot 2;
 thence N 89°05'00" W along the boundary line of said Lot 2, said line being common with the North line of an existing 10.0 foot wide Utility & Irrigation Easement dedicated with the recorded plat of said Eagle Rim Subdivision, a distance of 36.50 feet to a point on the West boundary line of said Lot 2;
 thence N 00°00'00" E along the West boundary line of said Lot 2 a distance of 74.03 feet to the Point of Beginning,
 containing 3,201.9 square feet, more or less, as described herein and as depicted on **Exhibit "A"** attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easements, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantors shall have the right to use and occupy the real property burdened by these Easements for any lawful purpose which is not inconsistent with and which will not interfere with the full use and quiet enjoyment of the rights herein granted; provided, however, that Grantors hereby covenant with Grantee that the Easement areas shall not be burdened or overburdened by the installation, construction or placement of any improvements, structures or fixtures thereon which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the Easement areas.

2. Grantee's work and act of installing, operating, maintaining, repairing and replacing said storm water drainage facilities shall be performed with due care using commonly accepted standards and techniques.

3. Grantors hereby covenant with Grantee that they have good title to the aforescribed premises; that they have good and lawful right to grant these Easements; that they will warrant and forever defend the title and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Executed and delivered this 17th day of May, 2002.

[Signature]
Enno F. Heuscher

[Signature]
Pauline Heuscher

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 17 day of MAY, 2001, by Enno F. Heuscher and Pauline Heuscher.

My commission expires: 6/23/2005.
Witness my hand and official seal.

[Signature]
Notary Public

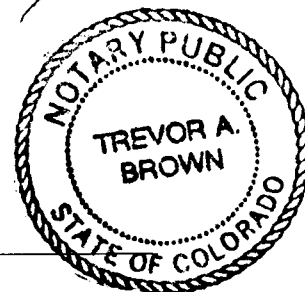
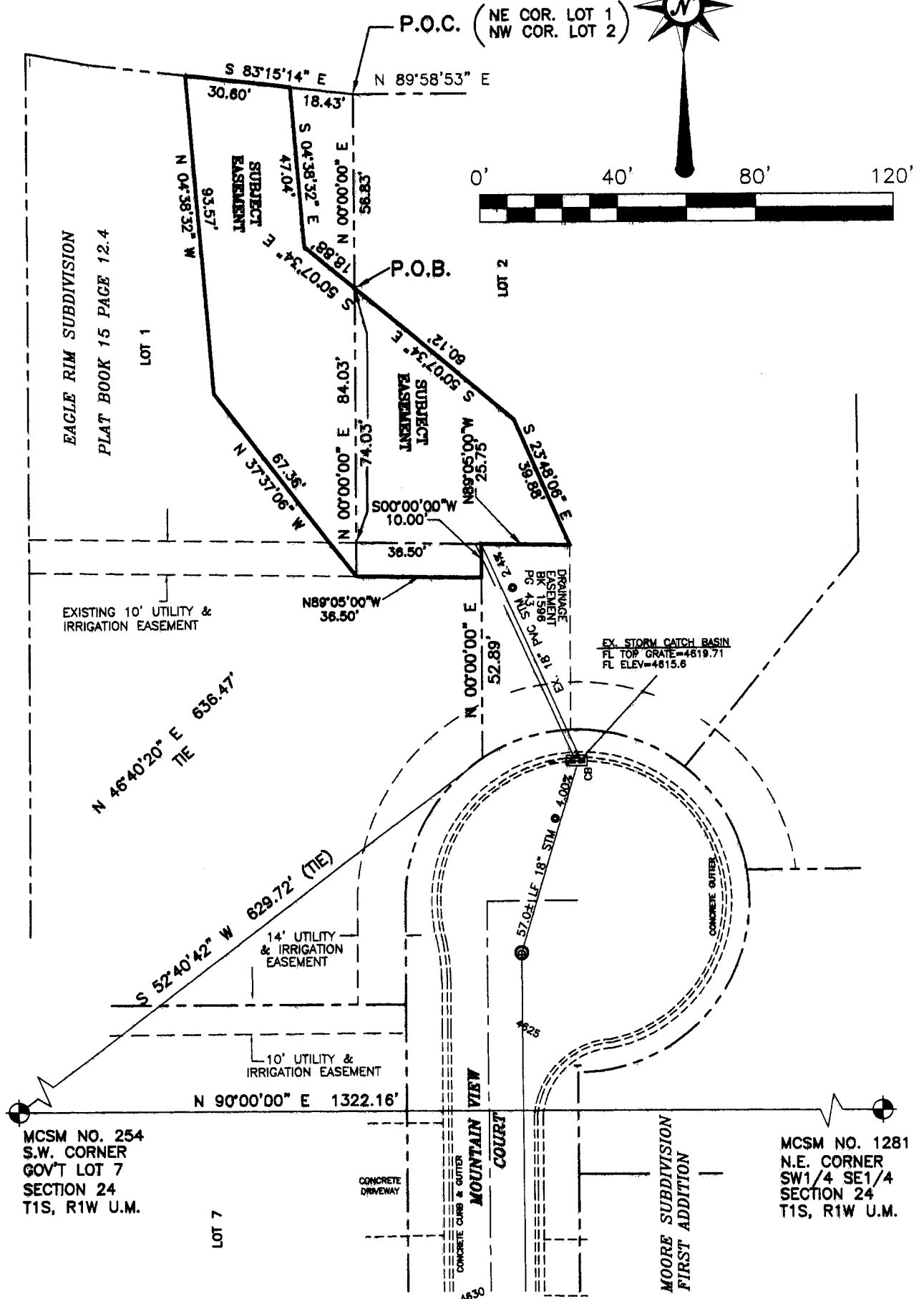


EXHIBIT 'A'

COLORADO RIVER



P.O.C. (NE COR. LOT 1
NW COR. LOT 2)



RECORDER NOTE: POOR QUALITY DOCUMENT
PROVIDED FOR REPRODUCTION

LEGEND

MESA COUNTY SURVEY MARKER



ROLLAND ENGINEERING
405 Ridge Blvd
Grand Jct, CO 81503
(970) 243-8300

File Name: D:\1104\1104EXSD.DWG

EXHIBIT 'A'
DRAINAGE EASEMENT

Designed	Checked	Proj# 9000	Sheet 1
Drawn	Date 5/03/02	Rvc	Of 1